

## **R E M A R K S**

The office action of May 19, 2005 has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 1, and 3 through 6 remain in this case, claim 2 being cancelled by this response.

Claims 1 and 3-6 were amended to clarify the subject matter being claimed. No new matter has been entered.

The Applicant notes the Notice from the Official Draftsman referring to certain informalities in the Drawings. Replacement drawings correcting the informalities are provided. In Figure 1, the solid black shading was removed and line quality increased. In Figure 2, reference number 20 shown near the first end of the wear face 30 was changed to 42, indicating the retaining clip as supported by the specification on page 4, line 9-22, page 5, lines 10-20, 21-29, and originally filed claim 2. Please note that on page 4, lines 9-22, both the retaining clip and the first end of the wear face were assigned reference number 30. No new matter has been entered. Reference number 44 was added to the figure to point out the lip as supported by the specification on page 4, lines 9-22, page 5, lines 10-20, and originally filed claim 5. No new matter has been added.

The numbered paragraphs below correspond to the numbered paragraphs in the Office Action.

### **Objections to the Drawings**

1. The drawings are objected to under 37 CFR 1.83 (a). The drawings do not show every feature of the invention specified in the claims, specifically the retaining clips.

Replacement drawings correcting the informalities are provided. In Figure 2, reference number 20 shown near the first end of the wear face 30 was changed to 42, indicating the retaining clip as supported by the specification on page 4, line 9-22, page 5, lines 10-20, 21-29, and originally filed claim 2. Please note that on page 4, lines 9-22, both the retaining clip and the first end of the wear face were assigned reference number 30. No new matter has been entered.

Reference number 44 was added to the figure to point out the lip as supported by the specification on page 4, lines 9-22, page 5, lines 10-20, and originally filed claim 5. No new matter has been added. Reconsideration and withdrawal of the objection is respectfully requested.

### **Objections to the Specification**

2. The disclosure is objected to because of the following informalities: on page 5, lines 17 and 19 "28" should be --30--.

Appropriate amendment of the specification has been made. No new matter has been entered. Reconsideration and withdrawal of the objection is respectfully requested.

### **Rejection(s) under 35 U.S.C. §112**

3. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 2 has been cancelled. Reconsideration and withdrawal of the rejection is respectfully requested.

### **Rejection(s) under 35 U.S.C. §102**

6. Claims 1 through 6 were rejected under 35 U.S.C. 102(b) as being anticipated by Tada (US 6,440,020). Applicant respectfully disagrees with the rejection.

Tada discloses a chain tensioner including a blade shoe having one end pivotally attached to a bracket, another end, and a projection. In column 5, lines 36-39, Tada states, "When the chain is in operation, the chain runs on chain sliding face of the blade shoe and proper tension is applied to the chain of the blade shoe as well as the elastic repulsive force of deformed blade springs." As stated in Tada in column 6, lines 20-34, "An outward projection is formed at the tip of the bracket or blade shoe at the mid point between the tip and the fixed end of the blade shoe and the projection is provided slidably against the blade spring or bracket tip. The projection at

the bracket tip contacts the blade spring or the projection on the side of the blade shoe contacts the bracket tip.

The Examiner states in the present office action, "the wear face further comprising at least one retaining clip (unnumbered, see Fig 4) at one end of the wear face, the retaining clip being slightly, slidably connected to a seating member (4)" in Tada. In looking at Figure 4 of Tada, Applicant can not find anything numbered or unnumbered resembling a retaining clip as defined by Applicant's amended claim 1. Furthermore, if the Examiner is referring to reference number 25, it is a projection and not a retaining clip, and reference number 4a is the tip of the bracket and also not a retaining clip. Applicant requests the Examiner to further clarify the rejection as to where the retaining clips would be present in Tada.

Applicant's amended claim 1 states:

"A chain guide, comprising:

"a body having a wear face comprising a first surface for contacting a chain and a second surface opposite the first surface;

"an elastic member disposed against to the second surface of the wear face, biasing the wear face toward the chain;

"a retaining clip at each end of the wear face;

"a seating member extending along the length of the wear face penetrating the retaining clips and supporting the body, such that as the chain exerts force on the chain guide, the retaining clips slide on the seating member, dampening and absorbing impacts and transverse vibrations that can affect chain control, guide wear, and bracket fatigue. "

Tada fails to disclose "as the chain exerts force on the chain guide, the retaining clips slide on the seating member, dampening and absorbing impacts and transverse vibrations that can affect chain control, guide wear, and bracket fatigue." (emphasis added) Instead, in Tada, when the chain is in operation, the blade tensioner of Tada is always exerting the proper tension on the chain.

Tada also fails to disclose "a retaining clip at each of the ends of the wear face" and "a seating member extending along the length of the wear face penetrating the retaining clips and supporting the body... the retaining clips sliding on the seating member, dampening and absorbing impacts and transverse vibrations."

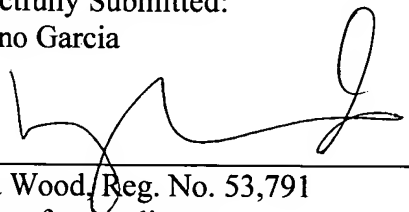
Therefore, it is respectfully suggested that the rejection of independent claim 1 as being anticipated by Tada (US 6,440,020) is overcome. Dependent claims 3 through 6, being dependent upon and further limiting independent claim 1, should also be allowable for that reason, as well as for the additional recitations they contain. Reconsideration and withdrawal of the rejection are respectfully requested.

### Conclusion

Applicant believes the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

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Dated: August 16, 2005

### **Amendments to the Drawings:**

The attached sheet(s) of drawings include changes as listed below. The attached replacement sheet(s) replace the original sheet(s).

The changes are as follows.

Figure 1 – solid black shading was removed and line quality improved.

Figure 2 – Changed reference number 20 to 42 to show the retaining clip. Added reference number 44, indicating the lip.

Attachment: 2 Replacement Sheets